

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

DANIEL PEREZ-AYALA

Petitioner

v.

UNITED STATES OF AMERICA

Respondent.

Civ. No. 05-1746 (PG)

(Re: Crim. No. 00-333 (PG))

| Re: | ORDER |
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| Docket # 11 - MAGISTRATE-JUDGE'S REPORT AND RECOMMENDATION | Upon careful review of the Magistrate Judge's Report and Recommendation ("R&R")--to which no objections were filed--the Court hereby APPROVES and ADOPTS the Magistrate Judge's R&R and DENIES IN PART , GRANTS IN PART petitioner's motion (Docket No. 1.) Accordingly, the Court shall correct petitioner's sentence to reflect a supervised release term that does not reflect upward departure. Judgment shall be entered dismissing the case. |

Date: March 1, 2006.

S/JUAN M. PEREZ-GIMENEZ
U.S. District Judge